

(A5537 and S3488) *Statement of the New Jersey Coalition Against Racial Exclusion from Willie Dwayne Francois III, senior pastor at Mount Zion Baptist Church in Pleasantville and chairman of the New Jersey Coalition Against Racial Exclusion NJ CARE. NJ CARE is a project of Building One New Jersey.*

## **Summary**

The statement below describes in more detail the lucrative segregationist activity being perpetrated across the state.

Those doing the segregating expect to use loopholes and weaknesses in the school consolidation bill (A5537 and S3488) to enrich themselves and promote *more* not less segregation and abandonment.

This is a fiscal as well as a moral issue. The bill in its current form will provide potentially hundreds of thousands in taxpayer funds to support consultants and law firms (in the form of feasibility studies and other costs) that specialize in secessionist segregation activity.

This activity has been well documented and is patently illegal. Unfortunately their recent efforts have been successful because of a circumvention of the courts and a lax department of education.

Their activity is leaving our children further behind, more abandoned and more forgotten. They are counting on the belief that no one cares about these children.

We need to fix and strengthen the consolidation bill against any efforts to distort and pervert its meaning and purpose. We believe it can and should be changed to affirmatively promote inclusion and to prevent further segregation. Recently added language regarding race and segregation is not sufficient and is already law. The bill must affirmatively address racial and socioeconomic inclusion and must forbid any and all “withdrawals” or severances.

The recent wave of secessions and the school consolidation bill (A5537 and S3488) now before the Assembly provides the opportunity to finally begin to discuss real and lasting policy solutions to stop further segregation, begin to reverse the damage and to start to dismantle what is a tangible structure of racial oppression in NJ.

For our part we will provide witnesses including prominent civil rights scholars, education experts and lawyers, clergy and bishops, parents and educators as well as documents and affidavits.

We will also provide suggested language for needed amendments to the consolidation bill as well as language for a possible new bill.

# Senator Sweeney's School Consolidation Bill...Regionalization as Cover for More Segregation?

May 16, 2021

By Willie Dwayne Francois III

According to some creditable rankings like U.S. News & World Report, New Jersey curiously enjoys the reputation of operating the best public education system in the nation. Paradoxically, the Garden State's poorest and most racially isolated districts live on the underside and exponentially removed from the spoils of such a boast-worthy system.

Now 125 years after the ruling in Plessey v. Ferguson, which legalized segregation nationally, and 67 years after Brown v. Board of Education, which overturned the former, New Jersey carries the distinction as the 6th [most racially segregated school system in the US](#) for Black students. Criminally, our school system—irrespective of the more flattering rankings we cower behind—reflect the Plessey Doctrine more than the Brown decision. Tragically, our consequential ebb away from Brown toward the legalized racism of Plessey condemns the lives of unwitting children and families.

New Jersey's political leadership remains largely mute and sidelined on our moral crisis of aggressively damaging and reprehensible school segregation. Once a possible balm for our state's segregated soul, [Senator Stephen Sweeney's consolidation bill](#), in its current form, will only make it worse as predatory serial segregationists optimistically line up to feed at the public trough.

Governor Philip Murphy, again on the campaign trail, fails daily to seize the historic opportunity handed to him by a landmark [2018 school segregation lawsuit](#) brought against the state by civil rights groups. What's more, he's enabled segregation to flourish. Last March, the Governor's Education Commissioner permitted majority white Maywood School district to secede from majority Black and brown Hackensack as part of a larger campaign of racialized and unconstitutional "de-regionalizations".

For decades, a group of majority white suburban districts across the state have lobbied to terminate their send-receive relationships with majority Black and Latinx districts. In the past, New Jersey courts correctly and consistently struck down these secession attempts on the grounds they only augment racial segregation, violating New Jersey's constitution. Recently, however, a group of highly paid lawyers and consultants led by attorney Vito Gagliardi of the firm Porzio, Bromberg, and Newman have delivered a string of secessionist victories for their clients by circumventing the courts and relying on a compliant State Department of Education.

Senate President Sweeney's bill ambitiously promotes and incentivizes the consolidation and regionalization of public schools, which appears laudable at face value. However, as currently constituted, explicit purpose of the bill pivots on "efficiency," "cost savings" and "fiscal improvement," obfuscating any affirmative priority to expand opportunity, repair racial segregation, and maximize economic inclusion.

While the sponsors added marginal language ostensibly to guard against "increasing" racial segregation, it reads appallingly inadequate in a state as diverse and hyper-segregated as New Jersey, especially given the predatory segregationists prowling the land. A bill for regionalization

that does not explicitly require affirmative obligations of poverty deconcentration and racial inclusion inevitably becomes a tool to increase segregation in the name of “efficiency,” “cost savings,” and “fiscal improvement.”

The same cabal of highly paid consultants and lawyers responsible for the recent wave of white secessionist breakaways across the state are already racking up fat contracts through taxpayer funded feasibility studies.

Attorney Vito Gagliardi [bragged that he helped write Senator Sweeney’s bill](#) while assuring his clients that it will not impede their segregationist plans. Gagliardi boasts of his secessionist prowess proclaiming he “[handled the only school dissolutions in state history where regional districts were dissolved.](#)” His partners Richard Gripp and Peter Carter of Statistical Forecasting LLC advertise their role in helping majority white school districts to “[deregionalize](#)” or “[terminate...sending-receiving relationship](#)” all over our state.

When Gagliardi successfully petitioned the state to allow Merchantville to secede from Pennsauken to join Haddon Heights, he promised “[there will be no negative racial impact.](#)” Time bore out the mistake of legitimating his word. Today, thanks to Vito Gagliardi and his cronies, Senator Sweeney’s hometown high school is more segregated, impoverished, and underperforming, and abandoned than perceived possible.

Currently, this high-profiting team anticipates a successful withdrawal of majority Absecon from majority Latinx and Black Pleasantville, turning my home district into a 100% minority school district—an apartheid district.

Nothing convincing lives in the existing version of the school consolidation bill to guard against the demoralizing Porzio gang and others poised to thwart forcefully an emergent legislative capacity to expand student opportunities.

The Sweeney bill needs to be significantly amended to prevent it from being used to fund more segregation and to enrich segregationist law firms and consultants. Gagliardi has already snagged the lucrative contract for the [Salem County pilot project](#) marshaled by Sweeney and funded entirely by a state grant to explore creating a single unified county school district. But Gagliardi made it exceedingly clear the Salem contract won’t change his secessionist stripes, assuring anxious white parents and taxpayers not to expect “[countywide opportunities](#)” in Salem County, [just “certain sections.”](#) This opens the door for intra-district segregation, which, again, charts out a damning course for Black and Latinx students.

Senator Sweeney’s bill for school consolidation appears well-intentioned and noble. Regionalization furnishes one possible path toward greater inclusion, minority family power-building, that can begin to reduce the deep concentrations of racialized poverty that reroutes us back to Plessey on the taxpayers’ dime. However, his bill needs to be purged of segregationist loopholes and, more importantly, amended to include language that affirmatively requires goals for desegregation and poverty deconcentration as primary ends.

*Willie Dwayne Francois III is senior pastor at Mount Zion Baptist Church in Pleasantville and chairman of the New Jersey Coalition Against Racial Exclusion.*